APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,783	06/16/2000	Robert Adams	042390.P2248C4	3212

7590   12/24/2003

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EXAMINER
LONSBERRY, HUNTER B

ART UNIT	PAPER NUMBER
2611	9

DATE MAILED: 12/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 September 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20 and 47-98* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20 and 47-98* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 June 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims have been considered but

are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3-10, 12-20, 47-57, 68-90, and 94-97 are rejected under 35

U.S.C. 103(a) as being unpatentable over Patent 6,173,317 to Chaddha in view

of U.S. Patent 6,128,653 to del Val.

Regarding claims 1, 9, Chaddha discloses in figures 9 and 10A, a device

240 which receives both a video stream and an annotation stream associated

with the video, a video images is displayed on a display device and associated

web content is retrieved for display with the video (column 7, line 15-column 9,

line 30), VCR like control buttons 620 and a table of contents window 630, which

are selectable and change the display of the video and associated content

(column 6, lines 22-34). Chaddha does not disclose and interactive command

function specified by the associated data stream. Del Val discloses utilizing

HTTP protocol for streaming digital media, a user's browser, or browser plugin

utilizes HTTP to send play, stop, rewind, fast-forward and pause commands to

the web server/video server (Figure 5, column 8, line 64-column 9, line 60).

Therefore, it would have been obvious to one skilled in the art at the time of

invention to modify Chaddha to utilize HTTP commands to control a data stream

as taught by del Val and enable the transmission of video across a firewall.

Regarding claim 3, Chaddha discloses that the video and annotation

streams may be retrieved via the internet (column 8, lines 46-59). Chaddha

inherently utilizes a packet identifier to indicate that data type of a packet,

otherwise the computer 240 would not know which packets are to be decoded by

video decoder 964 and which are to be processed by the browser.

Regarding claims 4-7, Chaddha discloses in Figure 6, a browser window

600, with video window 610, and supplementary content windows 630/640, a

designer utilizes HTML to create a display screen for a user and specifies the

location of each element on the screen (column 6, lines 22-34).

Regarding claim 8, Chaddha discloses the use of VCR like control buttons

620 and a table of contents window 630, which are selectable and change the

display of the video and associated content (column 6, lines 22-34).

Regarding claim 10, Chaddha discloses the use of an audio time track 770

synchronized with the video, and that audio is decoded by decoder 964 (column

6, line 52-column 7, line 59).

Regarding claims 12-15, 17-18, 94-97 Chaddha discloses in Figure 6, a

browser window 600, with video window 610, and supplementary content

windows 630/640, a designer utilizes HTML to create a display screen for a user

and specifies the location of each element on the screen (column 6, lines 22-34),

VCR like control buttons 620 and a table of contents window 630, which are selectable and change the display of the video and associated content (column 6, lines 22-34). Chaddha inherently specifies a color palate, location of objects on the screen, coordinate scale, background color, text and text attributes as Chaddha utilizes HTML to create the display screen.

Regarding claim 16, Chaddha discloses that a user may use a keyboard or a pointing device to interact with the video/annotation data (column 4, lines 59-65). Chaddha/del Val does not disclose specifying a selection device. The examiner takes official notice that specifying a computer peripheral for interacting with a program is well known in the art, for example, specifying a mouse to interact with a window or a joystick to play a game. Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Chaddha and del Val to specify a device to interact with a selection onscreen in order to provide a familiar user interface.

Regarding claim 19, Chaddha discloses that the video and annotation streams may be retrieved via the internet (column 8, lines 46-59). Chaddha inherently filters the data by destination address as it retrieves the video and html information from the internet and utilizes HTML get requests (column 5, line 10-column 6, line 34, column 8, lines 31-64), and the content must be directed to the proper location within the computer in order to be decoded and processed.

Regarding claim 20, Chaddha discloses that the video and annotation streams may be retrieved via the internet (column 8, lines 46-59). Chaddha

inherently filters the data by source address as it uses URLs to locate the
video/supplementary content streams (column 7, line 15-column 8, line 59).

Regarding claims 72-89, Chaddha discloses in figures 9 and 10A, a
computer 240 which receives both a video stream and an annotation stream
associated with the video, a video images is displayed on a display device 104
and associated web content is retrieved for display with the audio/video, the data
is resembled and decoded by decoder 964 and renderer 965 (column 7, line 15-
column 9, line 30), VCR like control buttons 620 and a table of contents window
630, which are selectable and change the display of the video and associated
content (column 6, lines 22-34), a producer utilizes a workstation and HTML to
create a Livescreen display for viewing at the user's computer (column 6, lines
22-34), a POTS modem, ISDN or Ethernet may connect a client computer 240 to
a server 220 (column 6, line1-5), additionally Chaddha discloses that
microprocessor 116 controls the computer 100 and controls the reception and
manipulation of input data and supplies the data to be output on display devices
(column 4, lines10-32). Chaddha inherently specifies a color palate, location of
objects on the screen, text and text attributes as Chaddha utilizes HTML to
create the display screen. Chaddha does not disclose and interactive command
function specified by the associated data stream. Del Val discloses utilizing
HTTP protocol for streaming digital media, a user's browser, or browser plugin
utilizes HTTP to send play, stop, rewind, fast-forward and pause commands to
the web server/video server (Figure 5, column 8, line 64-column 9, line 60).
Therefore, it would have been obvious to one skilled in the art at the time of

invention to modify Chaddha to utilize HTTP commands to control a data stream

as taught by del Val and enable the transmission of video across a firewall.

Regarding claim 90, Chaddha discloses in figures 9 and 10A, a computer

240 which receives both a video stream and an annotation stream associated

with the video, a video images is displayed on a display device 104 and

associated web content is retrieved for display with the audio/video, the data is

resembled and decoded by decoder 964 and renderer 965 (column 7, line 15-

column 9, line 30), VCR like control buttons 620 and a table of contents window

630, which are selectable and change the display of the video and associated

content (column 6, lines 22-34), a producer utilizes a workstation and HTML to

create a Livescreen display for viewing at the user's computer (column 6, lines

22-34), a POTS modem, ISDN or Ethernet may connect a client computer 240 to

a server 220 (column 6, line1-5), additionally Chaddha discloses that

microprocessor 116 controls the computer 100 and controls the reception and

manipulation of input data and supplies the data to be output on display devices

(column 4, lines10-32). Chaddha inherently scales the video window 610 as

Chaddha utilizes HTML.

Regarding claim 98, Chaddha discloses in Figure 6, a browser window

600, with video window 610, and supplementary content windows 630/640, a

designer utilizes HTML to create a display screen for a user and specifies the

location of each element on the screen (column 6, lines 22-34), VCR like control

buttons 620 and a table of contents window 630, which are selectable and

change the display of the video and associated content (column 6, lines 22-34).

Chaddha and del Val do not disclose the use of a text background transparency

attribute. The examiner takes official notice that the use of an HTML

transparency attribute is well known in the art. Therefore, it would have been

obvious to one skilled in the art at the time of invention to modify Chaddha and

del Val to include an HTML transparency attribute in order to better organize a

combination HTML video display.

Claims 2, 11, 47,48, 51-54, 62-71 and 91-93 are rejected under 35 U.S.C.

103(a) as being unpatentable over Patent 6,173,317 to Chaddha in view of U.S.

Patent 5,991,799 to Yen.

Regarding claims 2, 11, 62, 65, 66, Chaddha discloses in figures 9 and

10A, a device 240 which receives both a video stream and an annotation stream

associated with the video, a video images is displayed on a display device 104

and associated web content is retrieved for display with the audio/video, the data

is resembled and decoded by decoder 964 and renderer 965 (column 7, line 15-

column 9, line 30), VCR like control buttons 620 and a table of contents window

630, which are selectable and change the display of the video and associated

content (column 6, lines 22-34), a producer utilizes a workstation and HTML to

create a Livescreen display for viewing at the user's computer (column 6, lines

22-34), a POTS modem, ISDN or Ethernet may connect a client computer 240 to

a server 220 (column 6, line1-5). Chaddha does not disclose a video stream

coded in video scan intervals and the data stream being coded in the non-video

scan intervals of the video signal. Yen discloses a video system, in which

supplementary content is transmitted in the vertical blanking interval of broadcast

video or in MPEG 2 video (column 4, line 34-column 5, line 53). Therefore it would have been obvious to one skilled in the art at the time of invention to modify Chaddha to transmit additional information within the VBI in order to provide supplementary content to a user without internet access.

Regarding claims 47,48, 51, and 68-71, Chaddha discloses in figures 9 and 10A, a computer 240 which receives both a video stream and an annotation stream associated with the video, a video images is displayed on a display device 104 and associated web content is retrieved for display with the audio/video, the data is resembled and decoded by decoder 964 and renderer 965 (column 7, line 15-column 9, line 30), VCR like control buttons 620 and a table of contents window 630, which are selectable and change the display of the video and associated content (column 6, lines 22-34), a producer utilizes a workstation and HTML to create a Livescreen display for viewing at the user's computer (column 6, lines 22-34), a POTS modem, ISDN or Ethernet may connect a client computer 240 to a server 220 (column 6, line1-5), additionally Chaddha discloses that microprocessor 116 controls the computer 100 and controls the reception and manipulation of input data and supplies the data to be output on display devices (column 4, lines 10-32). Chaddha does not disclose data packets specifying a graphical command or a video stream coded in video scan intervals and the data stream being coded in the non-video scan intervals of the video signal. Del Val discloses utilizing HTTP protocol for streaming digital media, a user's browser, or browser plugin utilizes HTTP to send play, stop, rewind, fast-forward and pause commands to the web server/video server

(Figure 5, column 8, line 64-column 9, line 60). Yen discloses a video system, in which supplementary content is transmitted in the vertical blanking interval of broadcast video or in MPEG 2 video (column 4, line 34-column 5, line 53). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Chaddha to utilize HTTP commands to control a data stream as taught by del Val and enable the transmission of video across a firewall and to transmit additional information within the VBI/MPEG stream as taught by Yen in order to provide supplementary content to a user without internet access.

Regarding claims 52-54, Chaddha discloses that both the audio/video/annotation streams are synchronized (column 7, line 15-column 9, line 30) and that graphics are displayed on a monitor 104 (column 3, line 64-column 4, line 10, column 8, lines 3-13) and a video/audio decoder and renderer 965 are used to process the video/audio, in figures 9 and 10A, Chaddha shows a computer 240 which receives both a video stream and an annotation stream associated with the video, a video images is displayed on a display device 104 and associated web content is retrieved for display with the audio/video, the data is resembled and decoded by decoder 964 and renderer 965 (column 7, line 15-column 9, line 30), VCR like control buttons 620 and a table of contents window 630, which are selectable and change the display of the video and associated content (column 6, lines 22-34), a producer utilizes a workstation and HTML to create a Livescreen display for viewing at the user's computer (column 6, lines 22-34), a POTS modem, ISDN or Ethernet may connect a client computer 240 to a server 220 (column 6, line1-5), additionally Chaddha discloses that

microprocessor 116 controls the computer 100 and controls the reception and

manipulation of input data and supplies the data to be output on display devices

(column 4, lines 10-32).

Regarding claim 63, Chaddha discloses that the video and annotation

streams may be retrieved via the internet (column 8, lines 46-59). Chaddha

inherently filters the data by source address as it uses URLs to locate the

video/supplementary content streams (column 7, line 15-column 8, line 59).

Regarding claim 64, Chaddha discloses that the video and annotation

streams may be retrieved via the internet (column 8, lines 46-59). Chaddha

inherently filters the data by destination address as it retrieves the video and html

information from the internet and utilizes HTML get requests (column 5, line 10-

column 6, line 34, column 8, lines 31-64), and the content must be directed to the

proper location within the computer in order to be decoded and processed.

Regarding claim 67, Chaddha discloses that the video and annotation

streams may be retrieved via the internet (column 8, lines 46-59). Chaddha

inherently filters the data by source address as it uses URLs to locate the

video/supplementary content streams (column 7, line 15-column 8, line 59).

Chaddha inherently filters the data by destination address as it retrieves the

video and html information from the internet and utilizes HTML get requests

(column 5, line 10-column 6, line 34, column 8, lines 31-64), and the content

must be directed to the proper location within the computer in order to be

decoded and processed.

Regarding claims 91-93, Chaddha discloses in figures 9 and 10A, a device 240 which receives both a video stream and an annotation stream associated with the video, a video images is displayed on a display device 104 and associated web content is retrieved for display with the audio/video, the data is resembled and decoded by decoder 964 and renderer 965 (column 7, line 15-column 9, line 30), VCR like control buttons 620 and a table of contents window 630, which are selectable and change the display of the video and associated content (column 6, lines 22-34), a producer utilizes a workstation and HTML to create a Livescreen display for viewing at the user's computer (column 6, lines 22-34), a POTS modem, ISDN or Ethernet may connect a client computer 240 to a server 220 (column 6, line1-5). Yen discloses a video system, in which supplementary content is transmitted in the vertical blanking interval of broadcast video or in MPEG 2 video (column 4, line 34-column 5, line 53). Chaddha and Yen do not disclose the use of a modem coupled to a cable, satellite, or broadcast transmitter. The examiner takes official notice that the use of a modem coupled to a transmitter for inserting VBI data is well known in the art. Therefore it would have been obvious to one skilled in the art at the time of invention to modify Chaddha/Yen to transmit additional information within the VBI in order to provide supplementary content to a user without internet access, by coupling a modem to a transmitter.

Claims 58-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent 6,173,317 to Chaddha in view of U.S. Patent 5,991,799 to Yen, U.S. Patent 6,128,653 to del Val and U.S. Patent 5,512,935 to Majeti.

Regarding claims 58, 60, and 61 Chaddha discloses in figures 9 and 10A,

a device 240 which receives both a video stream and an annotation stream

associated with the video, a video images is displayed on a display device 104

and associated web content is retrieved for display with the audio/video, the data

is resembled and decoded by decoder 964 and renderer 965 (column 7, line 15-

column 9, line 30), VCR like control buttons 620 and a table of contents window

630, which are selectable and change the display of the video and associated

content (column 6, lines 22-34), a producer utilizes a workstation and HTML to

create a Livescreen display for viewing at the user's computer (column 6, lines

22-34), a POTS modem, ISDN or Ethernet may connect a client computer 240 to

a server 220 (column 6, line1-5). Chaddha/Yen/del Val does not disclose a

computer coupled to the receiver. Majeti discloses in Figure 1, consumer premise

equipment 20, in which pc 74 is coupled to STB 62 and CATV headend 30N.

Therefore, it would have been obvious to one skilled in the art at the time of

invention to modify Chaddha, Yen and del Val to couple it to the receiver as

taught by Majeti thus providing a high speed downlink to both devices for rapid

delivery of content.

Regarding claim 59, Chaddha discloses a device 240, which receives

audio/video and associated content from a server 220. Chaddha/Majeti do not

disclose the use of a satellite receiver. The examiner takes official notice that use

of a satellite receiver for receiving video and internet content is well known in the

art, for example DBS satellite services. Therefore it would have been obvious to

one skilled in the art at the time of invention to modify Chaddha/Majeti to utilize a

satellite receiver in order to make use of its large downstream bandwidth in areas

in which CATV service is not provided.

Conclusion

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Hunter B. Lonsberry whose telephone

number is 703-305-3234. The examiner can normally be reached on Monday-

Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax

phone number for the organization where this application or proceeding is

assigned is 703-308-5359.

Any inquiry of a general nature or relating to the status of this application

or proceeding should be directed to the receptionist whose telephone number is

703-305-4700.

ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

HBL